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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

Revision of the Commission's)
Rules to Ensure Compatibility)
With Enhanced 911 Emergency)
Calling Systems)

CC Docket No. 94-102

RM-8143

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Reply of Bell Atlantic¹
Concerning Notice of Proposed Rulemaking

The numerous technical, operational and public policy concerns raised by the Commission's proposed enhanced 911 ("E-911") rules, as identified by commenters in this proceeding, should lead the Commission to modify the private branch exchange ("PBX") proposal and defer further action on its proposed wireless compatibility rules.

Several commenters in this proceeding support Bell Atlantic's position, with regard to private branch exchanges ("PBXs"), that the Commission should explicitly assign PBX owners responsibility for automatic location information ("ALI") database creation and maintenance,² and specify performance standards rather

¹ This reply is filed on behalf of Bell Atlantic Mobile and the Bell Atlantic telephone companies, which include Bell Atlantic-Delaware, Inc., Bell Atlantic-Maryland, Inc., Bell Atlantic-New Jersey, Inc., Bell Atlantic-Pennsylvania, Inc., Bell Atlantic-Virginia, Inc., Bell Atlantic - Washington, D.C., Inc., and Bell Atlantic-West Virginia, Inc. ("Bell Atlantic").

² See, e.g., Comments of Nynex at 4-5; Comments of TRACER at 11-12.

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than technology-specific solutions.³ In addition, a number of commenters expressed concern that all entities providing similar services should be required to meet the same E-911 service obligations.⁴

Similarly, a substantial number of commenters agree that, given the unique technical and operational characteristics of wireless communications, it would be premature for the Commission to adopt its proposed three-stage implementation process to achieve compatibility between wireless networks and enhanced 911 services.⁵ Instead, the Commission should permit the industry to explore and develop an appropriate evolutionary path to providing call priority

³ See, e.g., Comments of REDCOM Laboratories at 1-6; Comments of the International Communications Ass'n at 5; Comments of the Telecommunications Industry Ass'n ("TIA") at 22.

⁴ See, e.g., Comments of Ameritech at 7-9; Similarly, a number of public safety organizations expressed concern about the effects on enhanced 911 systems of the introduction of competition in the local loop. See, e.g., Comments of Anacortes Police Department at 1; Comments of City of Puyallup, Washington at 1.

⁵ See, e.g., Comments of BellSouth at 14-17; Comments of Nynex at 13-14; Comments of Pacific Bell at 5-6; Comments of SBC at 7-8; Comments of US West at 18-20; Comments of GTE at 22; Comments of MCI Telecommunications Corp. at 2; Comments of TIA at 21-22; Comments of Ericsson Corp. at 7-10; Comments of Northern Telecom at 43-61; Comments of Cellular Telecommunications Industry Ass'n ("CTIA") at 10-16.

and automatic location information,⁶ at a cost that does not outweigh the benefits.⁷

Although some commenters enthusiastically endorse the Commission's mandatory implementation schedule,⁸ most of them offer no data on the appropriate technological means of achieving those goals.⁹ Those who suggest that some technological solution may be achievable do not provide a full discussion of the advantages and disadvantages of the competing alternatives; the technical

⁶ See, e.g., Comments of Ameritech at 8; Comments of Nynex at 13-14; Comments of SBC at 4; Comments of Pacific Bell at 6; Comments of American Mobile Telecommunications Ass'n at 7-8; Comments of CTIA at 13-14; Comments of CMT Partners at 6-7.

⁷ See, e.g., Comments of ALLTEL Mobile Communications at 3 (implementation of phases two and three "would require considerable expense and technological innovation"); Comments of UTC at 6-7; Comments of AMSC Subsidiary Corp. at 6-7 (equipment modifications to comply with additional proposed E-911 rules "would require several hundred million dollars of changes to AMSC's system design and to the design of the mobile terminals."); Comments of Westinghouse Electric Corp. at 8 (three-dimensional ALI may introduce "significant cost" -- at retail, approximately "\$400-\$800 depending on the accuracy required"). Westinghouse notes that no data has been presented in this record showing what percentage of 911 calls require ALI. Id.

⁸ See, e.g., Comments of KSI, Inc. at 8; Comments of Tandler Cellular at 2; Comments of the Texas Advisory Commission on State Emergency Communications ("Texas Comments") at 9-12; Comments of Emergency Communications District of Shelby County, Tennessee ("Shelby County Comments") at 2-3.

⁹ For example, the Texas Advisory Commission on State Emergency Communications not only fails to provide any analysis of the options, costs and merits of any technological means to achieve the phase three goal suggested by the Commission, but insists that a three-dimensional ALI reading ten times more precise (e.g, within a ten meter radius rather than a 125 meter radius) should be mandated. Texas Comments at 10; see also Shelby County Comments at 4 (suggesting that phase three deadline be moved up from 5 to 3 years, and that rules should require much greater accuracy than 125 meters).

modifications required and associated costs for local exchange carriers, public safety answering points, and consumers; and realistic timetables for achieving those goals.¹⁰ This is precisely the analysis that Bell Atlantic urges the Commission to permit the industry to conduct before taking any further action in connection with the wireless portion of this proceeding.¹¹

Bell Atlantic also endorses U.S. West's proposal that any requirement on carriers or 911 database providers to upgrade their equipment or service for compatibility with E-911 service apply only where states or municipalities have committed the necessary funding to public safety organizations to deploy a compatible enhanced 911 service.¹²

Finally, commenters have echoed Bell Atlantic's concern that the Commission must address the privacy,¹³ liability

¹⁰ See, e.g., Comments of the State of New Jersey Department of Law and Public Safety at 14-16 ("New Jersey Comments"); KSI Comments at 8; Tandler Cellular at 2.

¹¹ The New Jersey State Department of Law and Public Safety indicated that, in concert with local exchange carriers and its 911 tandem vendor, it has conducted a successful test of global positioning system ("GPS") technology to determine the ALI of a wireless caller. New Jersey Comments at 14-16. Although the test preliminarily demonstrated the ability to determine the ALI of a vehicle using GPS technology, it would be premature to mandate compliance deadlines now based on the possible viability or cost of GPS solutions, particularly in comparison to other technological solutions, on the basis of this and similar limited testing. In fact, as New Jersey's own comments noted, "a decision on the best method of wireless ALI and ANI must await additional tests." *Id.* at 16.

¹² See Comments of US West at 6, 10-20; see also Comments of CTIA at 19.

¹³ See Comments of SBC at 25-26.

protection,¹⁴ and cost recovery issues¹⁵ associated with these initiatives.

Bell Atlantic, however, takes strong issue with the suggestion of one commenter that 911 access should be a requirement for obtaining an FCC license for new or developing services.¹⁶ This record is replete with evidence demonstrating the technical challenges of providing E-911 access even for a service that has been around for a while -- namely, wireline services. Prohibiting deployment of new technologies and services that could provide important benefits to consumers and businesses due to an inability to immediately achieve other important public policy goals, such as providing access to emergency services, would be shortsighted and counterproductive.

Conclusion

For the reasons stated in the comments of Bell Atlantic and others, the Commission should adopt rules now governing access to E-911 services from PBXs, with the modifications proposed by Bell Atlantic. It should defer further proceedings relating to access from wireless systems pending determination by joint industry experts of appropriate protocols and standards to govern

¹⁴ See, e.g., Comments of US West at 24-25; Comments of SBC at 24-25; Comments of American Personal Communications at 4; Comments of CTIA at 20-21.

¹⁵ See, e.g., Comments of Ameritech at 7; Comments of Pacific Bell at 3; Comments of Nynex at 7.

¹⁶ Texas Comments at 9.

such access, and in later proceedings address privacy, immunity and cover recover issues.

Respectfully submitted,

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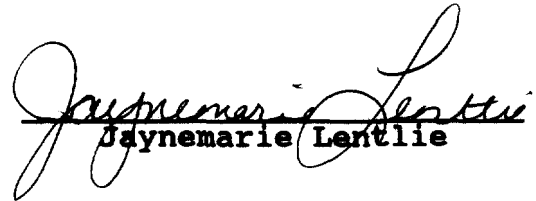
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I hereby certify that a copy of the foregoing "Reply of Bell Atlantic Concerning Notice of Proposed Rulemaking" was served this 17th day of March, 1995 by first class mail, postage prepaid, on the parties on the attached list.


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